REMARKS/ARGUMENTS

Reconsideration of this application is respectfully requested in view of the following remarks/arguments and amendments.

Claim Status

Claims 46, 49-56 are currently pending in the application. Claims 46, 49-52 were previously allowed while claims 53-56 were rejected by the Examiner in the Office Action. No new claims have been added by this response.

Rejections Under 35 U.S.C. §112, second paragraph

Claims 53-56 were rejected by the Examiner under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as their invention. While Applicants do not agree with the Examiner in this regard, Applicants have amended Claim 53 and Applicants believe that this amendment to Claim 53 overcomes or otherwise renders this rejection moot with respect to Claim 53 and the claims that depend from Claim 53 for at least the same reasons. Support for the above amendment to Claim 53 may be found, by way of example, at page 31 of Applicants' specification at lines 11-23.

Rejections Under 35 U.S.C. §103(a)

Claims 53 and 55

Claims 53 and 55 were rejected by the Examiner under 35 U.S.C. § 103(a) as being unpatentable over Strandberg (U.S. Patent No. 3,207,125) ("Strandberg"). The Examiner states that Strandberg teaches the design of a apparatus for preparing a fabric comprised of a means for mounting a first supply roll having a strip of fabric wound around a beam or shaft; a

liquid treatment applying means for applying liquid treatment material which includes a known solvent, water, to form a soaked strip of fabric; a means for forming a soaked/impregnated and dried strip of fabric, and an excess liquid treatment means which includes elements 8 and 9 which are interposed between the solvent or liquid treatment applying means and the second supply roll. The Examiner further states that Strandberg teaches the squeeze rollers 8, 9 have means for adjusting nip pressure therebetween such that strip of fabric is saturated to functional equilibrium obviously dependent on the nip pressure.

Applicants traverse the Examiner's rejection of Claim 53 and submit that a *prima facie* case of obviousness has not been made. It is settled that for a *prima facie* case of obviousness to be established, all the claim limitations must be taught or suggested by the prior art. *See*, MPEP § 2143.03. Strandberg fails in this regard because Strandberg does not teach or suggest at least the structure of the solvent applying means as recited in Claim 53.

The solvent applying means as recited in Claim 53 is able to apply a measured amount of solvent to the cleaning fabric. This, by way of example only and in the form of an alternate embodiment, may be seen in Figure 6 of Applicants' application. The immersion roll of Strandberg fails in this regard as Strandberg's immersion roll is only able to allow for the ***total immersion*** of the web. *See* Strandberg column 2, lines 62-67 ("Referring now to Figure 1, untreated web 1 travels from the beam 2 over the guide roll 3 ***into the sizing liquid 4 in tank 5 and under the immersion roll 6***. The web 7, now soaking wet with liquid, passes between the squeeze rolls 8 and 9.") (emphasis added). In addition, the immersion roll of Strandberg is unable to apply the solvent indirectly as the solvent applying means recited in Claim 53 does.

In the Office Action of March 26, 2003, the Examiner also states that Applicants' recitation that the organic solvent (as recited in Claim 53) does not structurally further limit the apparatus since the Strandberg liquid treatment applying means is capable of applying a variety of liquid treatments to the fabric including those which would include an organic solvent. Applicants also respectfully traverse the Examiner in this regard as Applicants contend that Strandberg rather teaches away from the use of the organic solvent as recited by Applicants in Claim 53.

The apparatus as taught by Strandberg ensures that most of the liquid on the immersed web is evaporated from the web. Specifically, Strandberg teaches that, "[t]he wet web 10 then contacts detector roll 11, one of the measuring elements of the instrument, and passes over a set of hot dry cans 12, ***which cause the water portion of the liquid on and in the web to evaporate***. The speed of the machine and the surface of the dry cans are set ***so that the moisture in the web 13 is about the same as prior to processing***." *See* Strandberg column 2, line 69 – column 3 line 3 (emphasis added). Thus, in order to ensure that the moisture in the web is about the same as prior to processing, the use of a low volatility, organic compound solvent which does not readily evaporate at ambient pressure and temperature, as recited in Claim 53, would be contrary to the teachings of Strandberg.

Clearly, as discussed above, there are differences between the invention as recited in Claim 53 and the apparatus taught by Strandberg. As such, Applicants contend that since Strandberg does not teach or suggest what the Applicants recite in Claim 53, Applicants believe that Claim 53 is in condition for allowance as a *prima facie* case of obviousness has not been made. Applicant further believe that Claim 53 is in condition for allowance as Strandberg rather

teaches away from features recited in Claim 53. Reconsideration and withdrawal of the rejection of Claim 53 under 35 U.S.C. § 103(a) is respectfully requested.

Applicants also believe that Claim 55, which depends from independent Claim 53, is allowable for at least similar reasons as for independent Claim 53 as discussed above. Reconsideration and withdrawal of the rejection of Claim 55 under 35 U.S.C. § 103(a) is also respectfully requested.

Claim 54

Claim 54 was rejected by the Examiner under 35 U.S.C. §103(a) as being unpatentable over Strandberg in view of Zimmer (U.S. Patent No. 4,538,541). Claim 54 was also rejected by the Examiner under 35 U.S.C. §103(a) as being unpatentable over Strandberg in view of Beekhuis (U.S. Patent No. 4,339,481). However, Applicants believe that dependent Claim 54 which depends from Claim 53, is allowable for at least similar reasons for independent Claim 53, as discussed above, from which it depends. As such, Applicants respectfully request reconsideration and withdrawal of Examiner's rejection Claim 54 under 35 U.S.C. §103(a).

Claim 56

Claim 56 was also rejected by the Examiner under 35 U.S.C. §103(a) as being unpatentable over Strandberg in view of Wenger (U.S. Patent No. 3,548,784). However, Applicants believe that dependent Claim 56 which depends from Claim 53, is allowable for at least similar reasons for independent Claim 53, as discussed above, from which it depends. As such, Applicants respectfully request reconsideration and withdrawal of Examiner's rejection Claim 56 under 35 U.S.C. §103(a).

CONCLUSION

In light of the foregoing arguments and amendments, Applicants believe that all pending claims are hereby allowable over the art of record taken alone or in combination, and accordingly, Applicants further submit that the application is thus in condition for allowance which action is earnestly requested.

The Commissioner is hereby authorized to charge any additional fees which may be required for the timely consideration of this amendment under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account No. 13-4500, Order No. 0140-4126US1.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: July 22, 2003

By: _____
Keith McWha
Registration No. 44, 235

Correspondence Address:
MORGAN & FINNEGAN, L.L.P.
345 Park Avenue
New York, NY 10154-0053
(212) 758-4800 Telephone
(212) 751-6849 Facsimile